

**Minerals Management Service  
Minerals Management Service Manual**

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**Effective Date:**

**Series:** Administrative

**Part 370.630:** Attendance and Leave

**Chapter 2:** General Provisions for Annual and Sick Leave

**Originating Office:** Personnel Division, Office of Administration and Budget

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1. **Coverage and Exclusions.** Title 5 U.S.C 63, applies to employees of the U.S. Government and certain persons employed by the District of Columbia. The coverage includes employees of government-controlled corporations. Employees of Congress and employees appointed by the President whose rate of basic pay is higher than the maximum rate under the General Schedule are among those excluded.

2. **Accrual of Leave.**

A. **Full Biweekly Pay Periods.** To earn leave, an employee must be employed during a full biweekly pay period. The employee is considered to have been employed for a full period, if they are on the rolls on all days falling within the pay period, exclusive of holidays and nonworkdays.

B. **Fractional Pay Periods.** If employment is continuous, but an employee's service is interrupted by a nonleave earning period, they may be credited with leave on a pro rata basis for that fraction of a pay period during which they were in a leave earning status. This situation occurs, for example, when an employee's tour of duty changes from full-time to intermittent.

C. **Accrual Reduction Because of Nonpay Absence.** When a full-time employee's absence in a nonpay status totals the hours for one pay period, their leave credit is reduced by one-half day and their annual leave credit is reduced by either one-half, three-fourths, or a full day depending on their leave earning category. If the employee is in a nonpay status for the entire leave year, they earn no leave.

3. **Leave Charges.**

A. **Leave Days.** Both annual and sick leave are charged to an employee's account only for absence on regular workdays, that is, days on which they would otherwise work and receive pay. Leave is not charged for absence on holidays and nonworkdays established by Federal statute, Executive Order, or administrative order.

B. **Minimum Charge.** The minimum charge for annual and sick leave is 15 minutes.

**4. Refund for Unearned Leave.** When an employee has been granted advance annual or sick leave and is separated before that leave is earned, the value of the leave is recovered from any pay due. However, there are exceptions as described below:

A. If the separation is due to death, disability retirement, or the employee resigns or is separated because of a disability which prevents them from returning to duty, a refund is not required.

B. No refund is required if the separation is due to entrance into the military with restoration rights.